

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

WANDA JEAN GARRETT and)	
JANE RUNNELS,)	
)	
Plaintiffs,)	
)	
v.)	
)	
BBVA COMPASS BANK, <i>Et Al.</i> ,)	
)	
Defendants.)	Civil Action No. 3:19-CV-1491-C-BH

ORDER

Before the Court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge therein advising the Court that Defendant BBVA USA's Motion to dismiss should be granted in part and denied in part and the claims against Charles C. Gumm, III, should be *sua sponte* dismissed for failing to state a claim.¹

The Court has reviewed the Findings, Conclusions, and Recommendation for clear error and finds none. It is therefore **ORDERED** that the Findings, Conclusions, and Recommendation are hereby **ADOPTED** as the findings and conclusions of the Court. For the reasons stated therein, Defendant BBVA USA's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6), or, In the Alternative, Motion for More Definitive Statement Pursuant to Fed. R. Civ. P. 12(e), or, In the Alternative, Fed. R. Civ. P. 12(c) Motion for Judgment on the Pleadings, filed December 9, 2019, is **GRANTED IN PART** and **DENIED IN PART**. The motion to dismiss for lack of

¹ Plaintiffs have failed to file objections to the Magistrate Judge's Findings, Conclusions and Recommendation and the time to do so has now expired.

subject matter jurisdiction is **DENIED**, and the motion to dismiss for failure to state a claim is **GRANTED**. Judgment shall be entered on even date.

SO ORDERED this 8th day of June, 2020.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE